IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5832 of 1994

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BADHDA SEVA SAHAKARI MANDLI LTD. & 1 - Petitioner(s)
Versus
AMTUBHAI ALIAS ANANTBHAI P MANGUKIA - Respondent(s)

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Appearance :
MR VIJAY H PATEL for Petitioner(s) : 1 - 2.
MR BHARGAV N BHATT for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH
Date : 19/06/2006

ORAL JUDGMENT

By way of this petition under Article 226/227 of the Constitution of India, the petitioners had challenged the legality and validity of the order passed by the learned Board

of Nominees in granting ad-interim relief against holding of election. While admitting the present Special Civil Application and after considering the question of interim relief, this Court passed a detailed order and stayed the order passed by the learned Board of Nominees by which the election came to be suspended and this Court has also granted further consequential relief of counting of votes and declaration of results and the authorities were directed to declare the result after counting the votes. Therefore, pursuant to the interim order passed by this Court, the votes must have been counted and the result must have been declared and thereafter even fresh elections must have been held. Under the circumstances, the present Special Civil Application is disposed of in terms of the interim order with further observation that by afflux of time the present Special Civil Application has become infructuous. Hence, the present Special Civil Application is disposed of

in terms of the interim order and thereafter due to afflux of time the present Special Civil Application has become infructuous. Rule is discharged. However, there will be no order as to costs.

[M.R. Shah, J.]

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